

STATE OF COLORADO

DIVISION OF WATER RESOURCES

Water Division VI

Department of Natural Resources

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Bill Owens
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State Engineer

Robert M. Plaska, P. E.
Division Engineer

April 19, 2002

Mr. Lee Sim
Assistant State Engineer
Utah Division of Water Rights
1594 West North Temple, Suite 220
P.O. Box 146300
Salt Lake City, UT 84114-6300

Re: Pot Creek Administration Issues

Dear Mr. *Sim*: *Lee*

At the annual meeting of the water users of the Pot Creek Distribution System held on February 5, 2002, I brought up several question regarding the administration of water rights on the Pot Creek system. In particular, questions were raised regarding the storage of direct flow water rights by the Utah Division of Wildlife Resources in their reservoirs on Pot Creek. Questions were also raised regarding the interception and storage of irrigation return flows and tributary inflow from streams located below Matt Warner Reservoir. I was assured that your office would look into these questions and would contact me to discuss these issues. To date I have not heard from your staff.

As you can very well appreciate, given the extremely dry year we are facing, the answers to these questions are of great interest to the State of Colorado and it's water users on Pot Creek. The irrigation season is fast approaching and I would appreciate hearing from your staff as soon as possible. I would also appreciate receiving an updated list of Utah water rights on the system and their owners, as my list is outdated.

There was also mention made during the meeting of the possibility of some direct flow rights being changed to storage rights. It is my understanding that this would require some type of formal process to change the permit and/or adjudication of the rights. If any such change is being considered, I would like to be notified so my office could evaluate such change with respect to decreed Colorado water rights.

I look forward to hearing from your office in the near future

Sincerely:

Robert M. Plaska
Division Engineer

Cc: Hal Simpson, State Engineer
Kathy Bower, Water Commissioner

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APR 22 2002

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SALT LAKE**